Department of Environment & Labour
Business Plan

2002-03

A. Mission

The mission of the Department of Environment and Labour is to protect and promote:

- the safety of people and property;
- a healthy environment;
- employment rights;
- the interests of financial services consumers and pension plan members; and
- consumer interests and public confidence in the alcohol and gaming services sectors.

B. Planning Context

The Department of Environment & Labour was formed in 2000 with the amalgamation of the Department of the Environment, the Department of Labour, the Alcohol & Gaming Authority, the Financial Institutions branch of the former Department of Business & Consumer Services, and the Pension Regulation branch of the Department of Finance. In 2001-02, the merged department had a staff of 453 and an annual budget of $27,072 million. This represents a reduction of 32 staff and approximately $3 million[1] from the total pre-restructuring resources of its component branches. The impacts of organizational restructuring, as well as other issues, pose significant challenges as well as opportunities for the department.

- **"Red tape" reduction**
  A continuing challenge for the department is the need to achieve an appropriate balance between the elimination of unnecessary and counter-productive "red tape", and the need to maintain strong and effective regulatory frameworks required to protect the environment, human health, and safety. The department is committed to streamlining the regulatory process and will continue to address this issue, in consultation with its stakeholders, through an intensive, ongoing process of regulatory review.

- **Regulatory harmonization/coordination**
  The department is increasingly involved in initiatives directed toward inter-jurisdictional harmonization and coordination of regulatory requirements. These initiatives contribute to a positive business climate by reducing regulatory overlap, creating a level playing field for industry and streamlining development of projects involving more than one jurisdiction. Regulatory harmonization or coordination initiatives involving insurance, pensions, offshore occupational health and safety and environmental management will be a major focus of activity for the department during the next year.

- **Economic slowdown**

[1] The budgetary reduction was partially offset by budget target adjustments including the transfer of funding from TPW for the cost of leased premises and additional funding provided to address water resource management and other environmental protection issues.

The global economic slowdown - already underway prior to September 11, and intensified by these events - is expected to have a number of implications for the department over the coming year. The current economic climate is likely to be reflected in more protracted and contentious contract negotiations, both public and private sector, resulting in increased requests for conciliation and mediation services. To the extent that the economic situation results in plant closures or other downsizing activities, increased client requirements for labour standards assistance and other employment-related services of the department can be anticipated. Downturns in the economy also tend to adversely affect workplace and public safety as well as the environment, as organizations attempt to achieve short term cost savings by delaying maintenance, repair, or replacement of facilities and equipment, and by reducing environmental protection activities. An increased volume of activity for inspections services staff can be anticipated as a result.

- **Human resource issues**
  Inspectors make up more than one third of the department's staff complement. In an environment of rapid and continuous technology change across the broad spectrum of industry and trade sectors dealt with by the department's inspectorate, it has become increasingly challenging to maintain the specialized skills and competencies required to provide fully competent inspection services. Like many other organizations, we also face a number of challenges related to the demographic profile of our workforce and competitive labour markets for departmental skill sets, particularly in the inspectorate areas, making succession planning an imperative for the department.

C. Strategic Goals

1. Refine, and where necessary adjust, the overall model for regulatory management to follow best practices and to focus on continuous improvement, in consultation with stakeholders, including industry, government partners, NGOs and the public.
2. Promote safe and healthy workplaces/work practices and safe facilities and equipment.
3. Promote sustainable management and protection of the environment and natural areas.
4. Promote employment standards, fair processes for wage compensation, effective labour-management relations, and fairness for injured workers.
5. Promote and protect the interests of financial services consumers and pension plan members.
6. Promote consumer protection in gaming/amusement activities and the service of alcohol.

D. Core Business Areas

1. Environmental Protection and Natural Areas Management

Promotes sustainable management and protection of the environment by developing and implementing

plans, standards, guidelines, and policies for the management and protection of Nova Scotia's air, water and terrestrial resources including protected areas, and by providing regionally-based regulatory approval, inspection, monitoring and enforcement services delivered through the following broad program areas:

- environmental monitoring, inspection & compliance
- water & wastewater management
- protected areas
- environmental services
- environmental assessment
- environmental industries
- environmental innovation
- environmental education

2. Public Safety and Occupational Health & Safety

Promotes safe and healthy workplaces and safe facilities and equipment by developing and enforcing safety standards, and providing related educational and consulting support, through the following programs:

- occupational health and safety promotion
- occupational health and safety certification and licensing
- occupational health and safety inspections, investigations and enforcement
- fire prevention, inspection, investigation and education
- fuel safety inspection and education
- boiler safety inspection
- elevators, lifts and amusement devices safety
- electrical safety
- certification of specified tradespersons.

3. Alcohol, Gaming, and Amusements Regulation

Promotes consumer protection in gaming/amusement activities and the service of alcohol, through the following programs:

- licensing and registration
- investigation and enforcement
- film classification.

4. Employment Standards & Labour Services

Promotes employment standards, fair processes for wage compensation, effective labour-management relations, and fairness for injured workers through the following programs:

- labour standards
- conciliation/mediation services
- Workers' Advisers program,

and provides administrative support and coordination to the following agencies, boards, commissions and tribunals which provide adjudicative services for the resolution of employment or labour-related disputes:

- Labour Relations Board/Construction Industry Panel
- Labour Standards Tribunal
- Occupational Health and Safety Appeal Panel
- Crane Operators Appeal Panel
- Power Engineers and Operators Appeal Committee.

5. Pension and Financial Services Regulation

Promotes and protects the interests of financial services consumers and pension plan members through delivery of the following programs:

- trust and loan companies licensing and regulation
- credit unions regulation
- insurance industry regulation
- pension regulation

E. Priorities

1. Environmental protection and natural areas management

- Strengthen processes to support future development of a risk-based model for delivery of of environmental inspection, monitoring and compliance services.

- Develop proposed amendments to the *Environment Act* to update, clarify, and strengthen the Act.

- Implement a provincial water resource management strategy which addresses the critical issues of safe drinking water, water quality protection and water availability.
  Linkages: Dept. of Health, SNSMR, DNR, Agriculture & Fisheries, Aboriginal Affairs, Environment Canada, UNSM

- Complete the development and release of a provincial sewage management strategy that defines a realistic path forward for the full treatment of raw sewage in a cost effective manner, better defines the department's role in protecting our lakes, rivers and estuaries, and establishes an acceptable and consistent program to rectify improperly functioning sewage treatment systems.
  Linkages: SNSMR, UNSM, Environment Canada

- Develop mechanisms to implement air emission reductions consistent with Nova Scotia's energy strategy, as well as national and international agreements.
  Linkages: DNR, Petroleum Directorate, Environment Canada, Canadian Council of Ministers of the Environment, New England Governors/Eastern Canadian Premiers

- revise and re-introduce Nature Reserves Protection legislation to update existing legislation and to provide an improved process for designation of new nature reserves.
  Linkages: DNR, Tourism & Culture, Aboriginal Affairs

- conduct a review of the *Environmental Assessment Regulations* to address issues raised by government, the public, and industry since introduction of the existing Regulations in 1995.

- Work with municipalities to promote solid waste management and cost effective options for upgrading municipal waste disposal facilities.
  Linkages: SNSMR, Resource Recovery Fund Board, UNSM, municipalities

- Coordinate development of a "green" plan - a provincial framework for environmental management for Nova Scotia.
  Linkages: DNR, Agriculture & Fisheries, Economic Development, Tourism & Culture, TPW, SNSMR

2. Public Safety and Occupational Health & Safety

- Conduct timely reviews of acts and regulations in accordance with requirements of legislated sunset clauses, recommendations of the Red Tape Reduction Task Force, government's legislative agenda, and ongoing program evaluation and review.

- Strengthen processes to support future development of a risk-based model for delivery of public safety and occupational health and safety inspection, monitoring and compliance services.

- Review processes for granting licenses, permits and applications under various public safety-related acts and regulations to identify opportunities to streamline service to clients and reduce red tape.
  Linkages: Service Nova Scotia and Municipal Relations.

- Upgrade management information systems to improve service to clients and the cost-effectiveness of inspection services, beginning with the OHS Tracking System.

- Lead development of a mechanism to better coordinate the activities of hazardous materials response units across government, to provide cost effective emergency response services in all areas of Nova Scotia.
  Linkages: EMO, Department of Health, TPW

- Provide training and advisory support to municipal fire inspectors and officials to facilitate implementation of changes anticipated as a result of the proposed *Fire Safety Act*.

Linkages: SNSMR, Municipalities

- Develop a communications strategy to improve awareness and understanding of the requirements of Nova Scotia's occupational health and safety legislation, in accordance with a recommendation of the Red Tape Reduction Task Force.

3. Alcohol, Gaming, and Amusements Regulation

- Improve efficiency and decrease "red tape" by
  - implementing a multi-year licensing system with respect to liquor, lottery and place of amusement licenses
  - eliminating licensing requirements for small charitable organizations conducting specific gaming events and for cinematographers and their operators
  - reviewing the existing process for film classification.

- Modify the license fee structure to reflect current costs.

- Strengthen processes to support future development of a risk-based model for delivery of alcohol, gaming, and amusement inspection, monitoring and compliance services.

4. Employment Standards & Labour Services

- Maintain existing service response times for conciliation requests as required under the *Trade Union Act*, and continue to offer preventative mediation programs, in support of the heavy collective bargaining agenda in both the public and private sectors anticipated for 2002-03.

- Develop a process for legislative review of the Nova Scotia *Labour Standards Code.*

- Ensure the provision of competent service to all eligible injured workers through implementation of applicable recommendations of the Auditor General and the Review Committee established by Section 161 of the Workers' Compensation Act.

5. Pension and Financial Services Regulation

- Develop insurance legislation which is harmonized within the Atlantic region, bring forward such legislation for approval in principle and for legislative drafting, and initiate development of regulations supporting that legislation.

- Receive, review and respond to proposed amendments to the *Credit Union Act* prepared in accordance with a scheduled review in conjunction with the credit union system, and initiate

development of appropriate recommendations for legislative amendment.

- Develop regulations for introduction of enhanced educational qualifications for life insurance agents in Nova Scotia in coordination with the Canadian Council of Insurance Regulators and Canadian Insurance Services Regulatory Organization and implement corresponding changes in the licensing regime.

- Develop amendments to regulations governing general insurance agents in Nova Scotia in accordance with consultations conducted and implement corresponding changes in the licensing regime.

- Provide representation and negotiation of Nova Scotia's interests in the development of model pension law.

F. Budget Context

Department of Environment & Labour Estimated Budget Expenditures by Core Business		
Core Business	**01-02 Forecast ($ thousands)**	**02-03 Estimate ($ thousands)**
Environmental Protection and Natural Areas Management	10,497	11,425
Public Safety and Occupational Health & Safety	3,671	3,475
Alcohol, Gaming, and Amusements Regulation	4,203	4,515
Employment Standards & Labour Services	3,271	2,446
Pension and Financial Services Regulation	512	606
Administration and Support	3,595	4,276
Total - Gross Current	35,695	40,649
Total - Program Expenses net of Recoveries	25,749	26,743
Salaries and Benefits	22,753	25,951
Funded Staff (FTEs)	433.2	472.9

G. Outcomes & Outcome Measures

Outcome	Indicator	Measure	Base Year Measure (state year)	Target-2004/05	Strategies to Achieve Target
Core Business Area: Environmental Protection and Natural Areas Management					
Clean water, air and land	Clean water	% of population served by municipal water supplies that receive water meeting the health based criteria of the Guidelines for Canadian Drinking Water Quality *Health Canada, NSDEL	86% (1998)* *baseline to be updated to 2000	100 %	- enforcing new water monitoring regulations - implementation of water strategy, including the development of municipal water supply protection plans - promoting innovative NS based solutions to environmental problems
	Clean air	Provincial emissions total for sulphur dioxide (SO_2)	170,000 tonnes (2000)	reduce emissions to 142,000 tonnes (25% reduction)	Work with major industrial sources to reduce emissions through the use of lower sulphur fuels.
		Provincial emissions total for mercury from electrical power generation	267 kg (2000)	reduce mercury emissions from electric power generation by 30% by 2005	Work with NSP to encourage the use of lower mercury fuels
		Provincial emissions total for nitrogen oxides (NO_x)	75,000 tonnes (2000)	reduce nitrogen oxide emissions by 20% by 2009	-Work with major industrial sources to reduce emissions. -require the use of low NO_x burners for new facilities and during major upgrades and refits
	Environmental impact of municipal solid waste landfills	% of municipal solid waste landfills meeting departmental standards	3 of 18 (17%) sites (2001/02)	100% of sites	- work with municipalities - enforcement of regulations - implementation of Solid Waste Strategy

Outcome	Indicator	Measure	Base Year Measure (state year)	Target-2004/05	Strategies to Achieve Target
Natural Areas Protection	Designation of natural areas for protection	Amount of land designated for protection	Approx. 5% of Nova Scotia (31 Wilderness Areas, 7 Nature Reserves) (2001/02)	Increase the amount of land under various protection options	- conducting resource inventories and area assessments - conducting public consultations - encouraging private land stewardship - participating in Crown land planning - supporting partnership agreements
		Number of designated protected areas benefitting from direct/active management.	(in development)	Increased level of designated protected areas under active management.	- conducting management planning - continued public education - supporting community partnership development - enforcement
Participation in environmental management	Community involvement in environmental management	number of Solid Waste Regions achieving 50% or more diversion from landfills	over 50% diversion in 2 of 7 Solid Waste Management Regions (2001/02)	50% diversion in all 7 solid waste regions	- education - increased access to centralized composting - enforcement
		successful partnership projects undertaken in the delivery of Water Resource Management Programs	0 (refers to major initiatives) (2001/02)	3	-municipal sewage project (Bras d'Or) -Annapolis - Agricultural Water Use - Horticulture NS -Nutrient Management

Outcome	Indicator	Measure	Base Year Measure (state year)	Target-2004/05	Strategies to Achieve Target
	Private sector involvement in environmental management	Number of product sectors under management agreements	7 of 13 identified sectors involved in stewardship programs including: dairy containers, daily/wkly newspaper, residential sharps, beverage containers, tires, used oil, and paint. (2001/02)	Develop stewardship agreements for solid waste management with other 6 identified sectors including: electronic goods, fast food packaging, oil containers, household hazardous waste, plastic film, and flyers and magazines	- work with the RRFB - consultation & negotiation with industry - legislation
	Outside partner investment in DEL-managed community environmental education programs	Value of investment in community environmental programs	$182,524 (2001)	Maintain or increase current level of investment	- Nova Scotia Youth Conservation Corps projects to support sustainable environmental initiatives
	Public awareness of environmental issues	Number of participants in education programs province wide	6800 participants (2001)	Maintain or increase annual participation in education programs	-develop a comprehensive on-site sewage disposal system education program for real estate practitioners -Expand clean water watch environmental education program - develop partnerships and deliver education on best management practices for nutrient management - public awareness and changes in behaviour are difficult to measure. Targets reflect an assumed relationship.

Outcome	Indicator	Measure	Base Year Measure (state year)	Target-2004/05	Strategies to Achieve Target
Sustainable Environmental Management	Participation by businesses and sectors in Environmental Management Systems (EMS) and Pollution Prevention (P2) initiatives	Number of business sectors and municipalities with P2 and EMS plans	5 business sectors participating (2001/2002)	increased number of business sectors municipalities with P2 and EMS plans	- provision of technical assistance - facilitate/participate in demonstrations - partner with funding agencies/other levels of government - partner with business associations to initiate new plans
	Regulatory Compliance	% of operational facility Approvals to which a Risk Based Inspection and Auditing (RBIA) Program has been applied.	June (2000)	Risk based inspection and auditing program applied to 60% of approvals for operational facilities	-validate data-based assessments at facilities and develop a schedule for RBIA. -develop and implement enforcement policy
Improved Client Service	Turnaround time for environmental approvals	Average administrative time to process applications for on-site sewage disposal systems.	40 days (2000/01)	Decrease average turnaround time for on-site septic system approvals by 50%	-process re-design. -Note: *Environment Act* specifies 60 day turnaround time.
Core Business Area: Public Safety and Occupational Health & Safety					
A safe work environment	Compliance with legislative framework that is reflective of current workplace standards	Number of inspections where an order is not issued	46% (2001)	At or above the five year average	-Promotion and education of clients in OHS -OHS operates on a targeted inspection system which is based on industry risks, accident rates and past experience with an employer. System is designed to take inspectors to work sites that are problematic and a high risk for accidents.
		Average number of registered WCB claims per hundred employees	5 year average rate 1996-2000 8.24	Reduce or maintain 5 year average	Work closely with WCB to identify high accident firms, sectors and type of accidents

Outcome	Indicator	Measure	Base Year Measure (state year)	Target-2004/05	Strategies to Achieve Target
		Average number of compensable days for all comparable time loss claims receiving benefits during the year/100 claimants	47.85 (2000)	At or below the five year average	
Fire and public safety	Impact of the Juvenile Fire Setters program on number of repeat offenders	% program participants who do not re-offend	100% (2001)	At or above 95%	Implementation of Juvenile Fire Setters program, with involvement by the Department of Justice, Children's Aid and mental health specialists.
	Level of risk/exposure to injury from elevators and lifts	Number of incidents reported involving injury.	13 Incidents (2000)	At or below base year number of incidents	Ongoing consultation with industry, inspections and enforcement.
Core Business Area: Alcohol, Gaming, and Amusements Regulation					
Consumer protection	Compliance with Acts and Regulations by license community	% of licensees inspected which are in compliance	98% (2000)	Maintain ratio of over 95% compliance	Increase focus on type of inspection and/or investigation. Monitor problem areas; work with licensees to increase awareness of regulations and policies.
Core Business Area: Employment Standards & Labour Services					
Improved client service	Labour standards complaint assignment times	Length of time for assignment.	180 days (2000)	60 days	Amend current work flow, processes and implement human resource plan.
	Time required for complaint resolution	Average number of days for complaint resolution from time of assignment	90 days (2000)	90 days	
	A harmonious and stable labour relations environment.	% of working time lost due to strikes and lockouts in NS compared with national average	NS - (.01) National - (.05) (2000)	At or below the national average.	Effective use of the conciliation and mediation processes.

Outcome	Indicator	Measure	Base Year Measure (state year)	Target-2004/05	Strategies to Achieve Target
Core Business Area: Pension and Financial Services Regulation					
Security of retirement income for members of private pension plans	Security of private sector pensions	Percentage of plan members covered by pension plans registered with province that are considered secure	95.5% (2001)	100%	-Ongoing review and analysis of valuation reports and data to identify solvency and funding problems. Oversee employer payments required under legislation to bring pension plan to full funding. - Data covers 3 year period; as of December 31, 2001. All plans are monitored by the Pension Regulation Division. Any plan that is less than 100% funded triggers a departmental response. In addition a strategy to get to 100% funding must be filed with the Department. - Plan assets to secure pension benefits fluctuate with changes in financial markets.